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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/745,721

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1405.1030 (JDH)

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7590

12/12/2006

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EXAMINER

RETTA, YEHDEGA

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,721

Applicant(s)

MATSUI ET AL.

Examiner

Yehdega Retta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to amendments filed September 14 and September 21, 2006. Applicant amended claims 1-3 and 10-12. Claims 1-12 are still pending.

Claim Rejections - 35 USC § 103

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stiles et al. (US 6,842,737) in view of Langseth et al. (US 6,662,195).

Regarding claims 1-3, 10-12, Stiles teaches automatically broadcasting to an information terminal for a given person pre-registered advertising information or reference information in connection with dates and times and/or places appropriate to the an itinerary (see abstract, col. 1 line 27 to col. 2 line 22, col. 3 lines 25-39, col. 7 line 29 to col. 8 line 53). Stiles teaches providing travel-plan schedules to third parties and accepting from the third part relevant information and broadcasting at predetermined timings the relevant information (see col. 7 line 10 to col. 8 line 53, col. 9 lines 30 to col. 10 line 25 and fig 18). Stiles teaches broadcasting pre-registered advertising information or reference information to a communication device according progress of an initial travel schedule or according to an updated travel schedule (see col. 16 lines 1-67, col. 7 lines 39-67). *Stiles teaches the travel intelligence report (TIR) linked to a travel agency web site and being presented to a traveler while purchasing an airline ticket.* Stiles teaches (see abstract) “(t)he associated system performs these functions, among others, to **provide information for a traveler planning a trip to a particular destination or destinations**”, i.e., providing information according to the time or place of the first destination

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and the time and place of the second destination, which is the progress of the travel schedule (same as applicant's invention). Stiles does not explicitly teach travel progress determined from a travel schedule which is updated using travel progress information which includes at least one of travel ticket usage information, replacement ticket information and coupon usage. Langseth teaches personal intelligence network that actively delivers highly personalized and timely information to individuals (see col. 4 lines 3-16). Langseth teaches services provided in a travel channel such as personalized travel services, reservation reminder, ticket status, ticket purchase alert, flight cancellation alert, reservation cancellation alert (see col. 10 lines 47-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Langseth's ticket information such as the status of the ticket, flight cancellation or reservation cancellation in Stiles's travel information. Stiles referring back to the ticket information would indicate whether traveler missed his flight or not. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to refer to the traveler's itinerary as in Langseth to check current traveler's status before broadcast relevant information.

Regarding claims 4-9, Stiles teaches predetermined personal information stored correlating with the communication addresses wherein the addresses are changed according to travel-plan schedule wherein the third part is billed according to broadcast count, etc (see col. 2 lines 4-22, col. 8 line 14 to col. 9 line 28, col. 9 line 37 to col. 10 line 65).

Response to Arguments

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McNicole et al. (US 6,615,179) teaches distributing current and real-time data to consumers and travelers directly to the location where the consumers and travelers are likely to require the data.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (571) 272-6723. The examiner can normally be reached on 8-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


RETTA YEHDEGA
PRIMARY EXAMINER

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